
SECOND SUBSTITUTE HOUSE BILL 2327

State of Washington 60th Legislature 2007 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives P. Sullivan, Priest, Haler, Quall, Jarrett, Wallace, Kenney, McDermott, Sells, Santos, Wood and Ormsby)

READ FIRST TIME 03/12/07.

1 AN ACT Relating to a system of standards, instruction, and
2 assessments for mathematics and science; amending RCW 28A.655.061,
3 28A.155.045, 28A.655.070, and 28A.655.200; adding new sections to
4 chapter 28A.655 RCW; creating new sections; and providing an expiration
5 date.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** (1) The legislature maintains a strong
8 commitment to high expectations and high academic achievement for all
9 students. The legislature finds that Washington schools and students
10 are making significant progress in improving achievement in reading and
11 writing. Schools are adapting instruction and providing remediation
12 for students who need additional assistance. Reading and writing are
13 being taught across the curriculum. Therefore, the legislature does
14 not intend to make changes to the Washington assessment of student
15 learning or high school graduation requirements in reading and writing.

16 (2) However, students are having difficulty improving their
17 academic achievement in mathematics and science, particularly as
18 measured by the high school Washington assessment of student learning.
19 The legislature finds that corrections are needed in the state's high

1 school assessment system that will improve alignment between learning
2 standards, instruction, diagnosis, and assessment of students'
3 knowledge and skills in high school mathematics and science.

4 (3) The legislature further finds there is a sense of urgency to
5 make these corrections. There is not the time or the necessity to
6 build a new set of standards and assessments from the ground up.
7 Rather, the state board of education and the superintendent of public
8 instruction must take advantage of the opportunity to draw on the
9 experience of other states. There are a number of states that use end-
10 of-course assessments to measure student achievement of mathematics and
11 science standards in high school.

12 (4) Therefore, the legislature intends to direct the state board of
13 education, in collaboration with the superintendent of public
14 instruction, to select and implement end-of-course assessments in a
15 timely manner so that they are a reliable and valid measure of
16 students' knowledge and skills for purposes of high school graduation.
17 The legislature further intends to revise the high school graduation
18 requirements to allow these corrections to be fully implemented.

19 **Sec. 2.** RCW 28A.655.061 and 2006 c 115 s 4 are each amended to
20 read as follows:

21 (1) The high school assessment system shall include but need not be
22 limited to the Washington assessment of student learning, opportunities
23 for a student to retake the content areas of the assessment in which
24 the student was not successful, and if approved by the legislature
25 pursuant to subsection (10) of this section, one or more objective
26 alternative assessments for a student to demonstrate achievement of
27 state academic standards. The objective alternative assessments for
28 each content area shall be comparable in rigor to the skills and
29 knowledge that the student must demonstrate on the Washington
30 assessment of student learning for each content area.

31 (2) Subject to the conditions in this section, a certificate of
32 academic achievement shall be obtained by most students at about the
33 age of sixteen, and is evidence that the students have successfully met
34 the state standard in the content areas included in the certificate.
35 With the exception of students satisfying the provisions of RCW
36 28A.155.045 or section 4 of this act, acquisition of the certificate is

1 required for graduation from a public high school but is not the only
2 requirement for graduation.

3 (3) Beginning with the graduating class of 2008, with the exception
4 of students satisfying the provisions of RCW 28A.155.045, a student who
5 meets the state standards on the reading, writing, and mathematics
6 content areas of the high school Washington assessment of student
7 learning shall earn a certificate of academic achievement. If a
8 student does not successfully meet the state standards in one or more
9 content areas required for the certificate of academic achievement,
10 then the student may retake the assessment in the content area up to
11 four times at no cost to the student. If the student successfully
12 meets the state standards on a retake of the assessment then the
13 student shall earn a certificate of academic achievement. Once
14 objective alternative assessments are authorized pursuant to subsection
15 (10) of this section, a student may use the objective alternative
16 assessments to demonstrate that the student successfully meets the
17 state standards for that content area if the student has retaken the
18 Washington assessment of student learning at least once. If the
19 student successfully meets the state standards on the objective
20 alternative assessments then the student shall earn a certificate of
21 academic achievement.

22 (4) Beginning with the graduating class of (~~2010~~) 2014, a student
23 must meet the state standards in science in addition to the other
24 content areas required under subsection (3) of this section on the
25 Washington assessment of student learning or the objective alternative
26 assessments in order to earn a certificate of academic achievement.

27 (5) The state board of education may not require the acquisition of
28 the certificate of academic achievement for students in home-based
29 instruction under chapter 28A.200 RCW, for students enrolled in private
30 schools under chapter 28A.195 RCW, or for students satisfying the
31 provisions of RCW 28A.155.045.

32 (6) A student may retain and use the highest result from each
33 successfully completed content area of the high school assessment.

34 (~~Beginning in 2006,~~) School districts must make available to
35 students the following options:

36 (a) To retake the Washington assessment of student learning up to
37 four times in the content areas in which the student did not meet the
38 state standards if the student is enrolled in a public school; or

1 (b) To retake the Washington assessment of student learning up to
2 four times in the content areas in which the student did not meet the
3 state standards if the student is enrolled in a high school completion
4 program at a community or technical college. The superintendent of
5 public instruction and the state board for community and technical
6 colleges shall jointly identify means by which students in these
7 programs can be assessed.

8 (8) Students who achieve the standard in a content area of the high
9 school assessment but who wish to improve their results shall pay for
10 retaking the assessment, using a uniform cost determined by the
11 superintendent of public instruction.

12 ~~(9) ((Subject to available funding, the superintendent shall pilot~~
13 ~~opportunities for retaking the high school assessment beginning in the~~
14 ~~2004-05 school year. Beginning no later than September 2006,))~~
15 Opportunities to retake the assessment at least twice a year shall be
16 available to each school district.

17 (10)(a) The office of the superintendent of public instruction
18 shall develop options for implementing objective alternative
19 assessments, which may include an appeals process, for students to
20 demonstrate achievement of the state academic standards. The objective
21 alternative assessments shall be comparable in rigor to the skills and
22 knowledge that the student must demonstrate on the Washington
23 assessment of student learning and be objective in its determination of
24 student achievement of the state standards. Before any objective
25 alternative assessments in addition to those authorized in RCW
26 28A.655.065 or (b) of this subsection are used by a student to
27 demonstrate that the student has met the state standards in a content
28 area required to obtain a certificate, the legislature shall formally
29 approve the use of any objective alternative assessments through the
30 omnibus appropriations act or by statute or concurrent resolution.

31 (b) A student's score on the mathematics portion of the preliminary
32 scholastic assessment test (PSAT), the scholastic assessment test
33 (SAT), or the American college test (ACT) may be used as an objective
34 alternative assessment under this section for demonstrating that a
35 student has met or exceeded the mathematics standards for the
36 certificate of academic achievement. The state board of education
37 shall identify the scores students must achieve on the mathematics
38 portion of the PSAT, SAT, or ACT to meet or exceed the state standard

1 for mathematics. The state board of education shall identify the first
2 scores by December 1, 2006, and thereafter may increase but not
3 decrease the scores required for students to meet or exceed the state
4 standard for mathematics.

5 (11) By December 15, 2004, the house of representatives and senate
6 education committees shall obtain information and conclusions from
7 recognized, independent, national assessment experts regarding the
8 validity and reliability of the high school Washington assessment of
9 student learning for making individual student high school graduation
10 determinations.

11 (12) To help assure continued progress in academic achievement as
12 a foundation for high school graduation and to assure that students are
13 on track for high school graduation, each school district shall prepare
14 plans for students as provided in this subsection (12).

15 (a) Student learning plans are required for eighth through twelfth
16 grade students who were not successful on any or all of the content
17 areas of the Washington assessment for student learning during the
18 previous school year. The plan shall include the courses,
19 competencies, and other steps needed to be taken by the student to meet
20 state academic standards and stay on track for graduation. ~~((This~~
21 ~~requirement shall be phased in as follows:~~

22 ~~(i) Beginning no later than the 2004-05 school year ninth grade~~
23 ~~students as described in this subsection (12)(a) shall have a plan.~~

24 ~~(ii) Beginning no later than the 2005-06 school year and every year~~
25 ~~thereafter eighth grade students as described in this subsection~~
26 ~~(12)(a) shall have a plan.~~

27 ~~(iii))~~ (i) The parent or guardian shall be notified, preferably
28 through a parent conference, of the student's results on the Washington
29 assessment of student learning, actions the school intends to take to
30 improve the student's skills in any content area in which the student
31 was unsuccessful, strategies to help them improve their student's
32 skills, and the content of the student's plan.

33 ~~((iv))~~ (ii) Progress made on the student plan shall be reported
34 to the student's parents or guardian at least annually and adjustments
35 to the plan made as necessary.

36 (b) ~~((Beginning with the 2005-06 school year and every year~~
37 ~~thereafter,))~~ All fifth grade students who were not successful in one

1 or more of the content areas of the fourth grade Washington assessment
2 of student learning shall have a student learning plan.

3 (i) The parent or guardian of ((a)) the student (~~(described in this~~
4 ~~subsection (12)(b))~~) shall be notified, preferably through a parent
5 conference, of the student's results on the Washington assessment of
6 student learning, actions the school intends to take to improve the
7 student's skills in any content area in which the student was
8 unsuccessful, and provide strategies to help them improve their
9 student's skills.

10 (ii) Progress made on the student plan shall be reported to the
11 student's parents or guardian at least annually and adjustments to the
12 plan made as necessary.

13 **Sec. 3.** RCW 28A.155.045 and 2004 c 19 s 104 are each amended to
14 read as follows:

15 Beginning with the graduating class of 2008, students served under
16 this chapter, who are not appropriately assessed by the high school
17 Washington assessment system as defined in RCW 28A.655.061, even with
18 accommodations, may earn a certificate of individual achievement. The
19 certificate may be earned using multiple ways to demonstrate skills and
20 abilities commensurate with their individual education programs. The
21 determination of whether the high school assessment system is
22 appropriate shall be made by the student's individual education program
23 team. Except as provided in section 4 of this act, for these students,
24 the certificate of individual achievement is required for graduation
25 from a public high school, but need not be the only requirement for
26 graduation. When measures other than the high school assessment system
27 as defined in RCW 28A.655.061 are used, the measures shall be in
28 agreement with the appropriate educational opportunity provided for the
29 student as required by this chapter. The superintendent of public
30 instruction shall develop the guidelines for determining which students
31 should not be required to participate in the high school assessment
32 system and which types of assessments are appropriate to use.

33 When measures other than the high school assessment system as
34 defined in RCW 28A.655.061 are used for high school graduation
35 purposes, the student's high school transcript shall note whether that
36 student has earned a certificate of individual achievement.

1 Nothing in this section shall be construed to deny a student the
2 right to participation in the high school assessment system as defined
3 in RCW 28A.655.061, and, upon successfully meeting the high school
4 standard, receipt of the certificate of academic achievement.

5 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.655
6 RCW to read as follows:

7 Beginning with the graduating class of 2008 and until the
8 graduating class of 2012, students may graduate from high school
9 without earning a certificate of academic achievement or a certificate
10 of individual achievement if they:

11 (1) Have not successfully met the mathematics standard on the high
12 school Washington assessment of student learning, an approved objective
13 alternative assessment, or an alternate assessment developed for
14 eligible special education students;

15 (2) Have successfully met the state standard in the other content
16 areas required for a certificate under RCW 28A.655.061 or 28A.155.045;

17 (3) Have met all other state and school district graduation
18 requirements; and

19 (4)(a) For the graduating class of 2008, successfully earn one
20 additional high school mathematics credit after the student's eleventh
21 grade year designed to increase the individual student's mathematics
22 proficiency toward meeting or exceeding the mathematics standards
23 assessed on the high school Washington assessment of student learning;
24 and

25 (b) For the remaining graduating classes under this section,
26 successfully earn two additional mathematics credits after the
27 student's tenth grade year designed to increase the individual
28 student's mathematics proficiency toward meeting or exceeding the
29 mathematics standards assessed on the high school Washington assessment
30 of student learning.

31 **Sec. 5.** RCW 28A.655.070 and 2005 c 497 s 106 are each amended to
32 read as follows:

33 (1) Except for the content areas of mathematics and science at the
34 high school level, the superintendent of public instruction shall
35 develop essential academic learning requirements that identify the
36 knowledge and skills all public school students need to know and be

1 able to do based on the student learning goals in RCW 28A.150.210,
2 develop student assessments, and implement the accountability
3 recommendations and requests regarding assistance, rewards, and
4 recognition of the state board of education. Assessments for the
5 content areas of mathematics and science at the high school level shall
6 be adopted by the state board of education as provided in section 6 of
7 this act.

8 (2) The superintendent of public instruction shall:

9 (a) Periodically revise the essential academic learning
10 requirements, as needed, based on the student learning goals in RCW
11 28A.150.210. Goals one and two shall be considered primary. To the
12 maximum extent possible, the superintendent shall integrate goal four
13 and the knowledge and skill areas in the other goals in the essential
14 academic learning requirements; and

15 (b) Review and prioritize the essential academic learning
16 requirements and identify, with clear and concise descriptions, the
17 grade level content expectations to be assessed on the Washington
18 assessment of student learning and used for state or federal
19 accountability purposes. The review, prioritization, and
20 identification shall result in more focus and targeting with an
21 emphasis on depth over breadth in the number of grade level content
22 expectations assessed at each grade level. Grade level content
23 expectations shall be articulated over the grades as a sequence of
24 expectations and performances that are logical, build with increasing
25 depth after foundational knowledge and skills are acquired, and
26 reflect, where appropriate, the sequential nature of the discipline.
27 The office of the superintendent of public instruction, within seven
28 working days, shall post on its web site any grade level content
29 expectations provided to an assessment vendor for use in constructing
30 the Washington assessment of student learning.

31 (3) In consultation with the state board of education, the
32 superintendent of public instruction shall maintain and continue to
33 develop and revise a statewide academic assessment system in the
34 content areas of reading, writing, mathematics, and science for use in
35 the elementary, middle, and high school years designed to determine if
36 each student has mastered the essential academic learning requirements
37 identified in subsection (1) of this section. School districts shall
38 administer the assessments under guidelines adopted by the

1 superintendent of public instruction. The academic assessment system
2 (~~shall~~) may include a variety of assessment methods, including
3 criterion-referenced and performance-based measures.

4 (4) If the superintendent proposes any modification to the
5 essential academic learning requirements or the statewide assessments,
6 then the superintendent shall, upon request, provide opportunities for
7 the education committees of the house of representatives and the senate
8 to review the assessments and proposed modifications to the essential
9 academic learning requirements before the modifications are adopted.

10 (5)(~~(a)~~) The assessment system shall be designed so that the
11 results under the assessment system are used by educators as tools to
12 evaluate instructional practices, and to initiate appropriate
13 educational support for students who have not mastered the essential
14 academic learning requirements at the appropriate periods in the
15 student's educational development.

16 (~~(b) Assessments measuring the essential academic learning~~
17 ~~requirements in the content area of science shall be available for~~
18 ~~mandatory use in middle schools and high schools by the 2003-04 school~~
19 ~~year and for mandatory use in elementary schools by the 2004-05 school~~
20 ~~year unless the legislature takes action to delay or prevent~~
21 ~~implementation of the assessment.~~)

22 (6) By September 2007, the results for reading and mathematics
23 shall be reported in a format that will allow parents and teachers to
24 determine the academic gain a student has acquired in those content
25 areas from one school year to the next.

26 (7) To assist parents and teachers in their efforts to provide
27 educational support to individual students, the superintendent of
28 public instruction shall provide as much individual student performance
29 information as possible within the constraints of the assessment
30 system's item bank. The superintendent shall also provide to school
31 districts:

32 (a) Information on classroom-based and other assessments that may
33 provide additional achievement information for individual students; and

34 (b) A collection of diagnostic tools that educators may use to
35 evaluate the academic status of individual students. The tools shall
36 be designed to be inexpensive, easily administered, and quickly and
37 easily scored, with results provided in a format that may be easily
38 shared with parents and students.

1 (8) To the maximum extent possible, the superintendent shall
2 integrate knowledge and skill areas in development of the assessments.

3 (9) Assessments for goals three and four of RCW 28A.150.210 shall
4 be integrated in the essential academic learning requirements and
5 assessments for goals one and two.

6 (10) The superintendent shall develop assessments that are directly
7 related to the essential academic learning requirements, and are not
8 biased toward persons with different learning styles, racial or ethnic
9 backgrounds, or on the basis of gender.

10 (11) The superintendent shall consider methods to address the
11 unique needs of special education students when developing the
12 assessments under this section.

13 (12) The superintendent shall consider methods to address the
14 unique needs of highly capable students when developing the assessments
15 under this section.

16 (13) The superintendent shall post on the superintendent's web site
17 lists of resources and model assessments in social studies, the arts,
18 and health and fitness.

19 NEW SECTION. **Sec. 6.** A new section is added to chapter 28A.655
20 RCW to read as follows:

21 (1) The state board of education, in consultation with the
22 superintendent of public instruction, shall select statewide end-of-
23 course assessments for high school mathematics and high school science
24 that measure student achievement of the state mathematics and science
25 standards. To facilitate ease of scoring and timely return of results,
26 the assessments shall rely on multiple choice questions. The
27 assessments shall be able to be administered online. School districts
28 shall administer the assessments according to a uniform assessment
29 schedule and guidelines adopted by the superintendent to ensure
30 appropriate security of the assessment.

31 (2) The legislature's intent is that students receive instruction
32 through credited high school courses in the content areas to be
33 assessed and have their knowledge and skills assessed after they
34 complete the courses. However, school districts shall be responsible
35 for designing and implementing the courses. School districts may
36 provide instruction in the content areas through integrated courses.

1 (3) The end-of-course assessments in high school mathematics shall
2 cover algebra I and geometry. The superintendent shall make the
3 mathematics assessments available to school districts on an optional
4 basis in the 2008-09 school year. School districts shall implement the
5 assessments statewide beginning with the 2009-10 school year. The end-
6 of-course assessment in algebra I implemented under this section shall
7 be the Washington assessment of student learning in mathematics for
8 purposes of the certificate of academic achievement under RCW
9 28A.655.061, beginning with the graduating class of 2013. The end-of-
10 course assessment in algebra I and the end-of-course assessment in
11 geometry implemented under this section shall be the Washington
12 assessment of student learning in mathematics for purposes of the
13 certificate of academic achievement under RCW 28A.655.061, beginning
14 with the graduating class of 2014.

15 (4) The end-of-course assessment in high school science shall cover
16 biology. The superintendent shall make the science assessment
17 available to school districts on an optional basis in the 2009-10
18 school year. School districts shall implement the assessment statewide
19 beginning with the 2010-11 school year. The end-of-course assessment
20 in biology implemented under this section shall be the Washington
21 assessment of student learning in science for purposes of the
22 certificate of academic achievement under RCW 28A.655.061.

23 **Sec. 7.** RCW 28A.655.200 and 2006 c 117 s 4 are each amended to
24 read as follows:

25 (1) (~~In the absence of mandatory, statewide, norm-referenced~~
26 ~~assessments,~~) The legislature intends to permit school districts to
27 offer norm-referenced assessments, make diagnostic tools available to
28 school districts, and provide funding for diagnostic assessments to
29 enhance (~~guidance and planning for students and to~~) student learning
30 at all grade levels and provide early intervention before the high
31 school Washington assessment of student learning.

32 (2) In addition to the diagnostic assessments provided under
33 (~~subsection (5) of~~) this section, school districts may, at their own
34 expense, administer norm-referenced assessments to students.

35 (3) (~~By September 1, 2005, subject to available funds,~~) The
36 office of the superintendent of public instruction shall post on its
37 web site for voluntary use by school districts, a guide of diagnostic

1 assessments. The assessments in the guide, to the extent possible,
2 shall include the characteristics listed in subsection (4) of this
3 section.

4 (4) Beginning September 1, 2007, the office of the superintendent
5 of public instruction shall make diagnostic assessments in reading,
6 writing, mathematics, and science in elementary and middle school
7 grades available to school districts (~~((diagnostic assessments that))~~).
8 The office of the superintendent of public instruction shall also
9 provide funding to school districts for administration of diagnostic
10 assessments to help improve student learning, identify academic
11 weaknesses, enhance student planning and guidance, and develop targeted
12 instructional strategies to assist students before the high school
13 Washington assessment of student learning. To the greatest extent
14 possible, the assessments shall be:

- 15 (a) Aligned to the state's grade level expectations;
- 16 (b) Individualized to each student's performance level;
- 17 (c) Administered efficiently to provide results either immediately
18 or within two weeks;
- 19 (d) Capable of measuring individual student growth over time and
20 allowing student progress to be compared to other students across the
21 country;
- 22 (e) Readily available to parents; and
- 23 (f) Cost-effective.

24 ~~((Beginning with the 2006-07 school year, the superintendent of~~
25 ~~public instruction shall reimburse school districts for administration~~
26 ~~of diagnostic assessments in grade nine for the purpose of identifying~~
27 ~~academic weaknesses, enhancing student planning and guidance, and~~
28 ~~developing targeted instructional strategies to assist students before~~
29 ~~the high school Washington assessment of student learning.~~

30 ~~(6))~~ The office of the superintendent of public instruction (~~(is~~
31 ~~encouraged to))~~ shall offer training at statewide and regional staff
32 development activities (~~((training opportunities that would assist~~
33 ~~practitioners))~~) in:

- 34 (a) The interpretation of diagnostic assessments; and
- 35 (b) Application of instructional strategies that will increase
36 student learning based on diagnostic assessment data.

1 NEW SECTION. **Sec. 8.** (1) Beginning in 2007, the state board of
2 education and the superintendent of public instruction shall report
3 annually by December 1st to the education committees of the legislature
4 on the status and progress of implementation of their responsibilities
5 under this act.

6 (2)(a) By January 5, 2009, the state board of education shall
7 submit a finding to the governor and the legislature regarding whether
8 the implementation timelines established under section 6 of this act
9 can be feasibly met. The board shall consider the following factors in
10 making such a finding:

11 (i) The expected validity and reliability of the end-of-course
12 assessments for use in making individual student high school graduation
13 determinations, based on information from independent national
14 assessment experts;

15 (ii) Adequate notice to the graduating class of students who will
16 be required to meet state standards on the end-of-course assessments
17 for purposes of the certificate of academic achievement; and

18 (iii) Other possible factors that are supported by clear and
19 convincing evidence.

20 (b) If the state board of education finds that one or more of the
21 timelines cannot be met, the board shall:

22 (i) State the reasons for the finding, along with the supporting
23 evidence;

24 (ii) Recommend a revised timeline or timelines, with specific
25 dates; and

26 (iii) Recommend specific actions that must be taken by the board,
27 the superintendent of public instruction, school districts, the
28 legislature, or other entities to ensure that a revised timeline can be
29 met.

30 (3) This section expires June 30, 2010.

31 NEW SECTION. **Sec. 9.** If specific funding for purposes of section
32 4 of this act, referencing section 4 of this act by bill or chapter and
33 section number, is not provided by June 30, 2007, in the omnibus
34 operating appropriations act, sections 2, 3, and 4 of this act are null
35 and void.

1 NEW SECTION. **Sec. 10.** If specific funding for purposes of section
2 6 of this act, referencing section 6 of this act by bill or chapter and
3 section number, is not provided by June 30, 2007, in the omnibus
4 operating appropriations act, sections 5, 6, and 8 of this act are null
5 and void.

6 NEW SECTION. **Sec. 11.** If specific funding for purposes of section
7 7 of this act, referencing section 7 of this act by bill or chapter and
8 section number, is not provided by June 30, 2007, in the omnibus
9 operating appropriations act, section 7 of this act is null and void.

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